

**KEMP JONES, LLP**  
Don Springmeyer (SBN 1021)  
Wells Fargo Tower, 17th Floor  
3800 Howard Hughes Parkway  
Las Vegas, Nevada 89169  
Telephone: (702) 385-6000  
Facsimile: (702) 385-6001  
[d.springmeyer@kempjones.com](mailto:d.springmeyer@kempjones.com)

### *Proposed Liaison Counsel for the Class*

**LABATON SUCHAROW LLP**  
Francis P. McConville (*pro hac vice* forthcoming)  
David J. Schwartz (*pro hac vice* forthcoming)  
140 Broadway  
New York, New York 10005  
Telephone: (212) 907-0700  
Facsimile: (212) 818-0477  
[fmccconville@labaton.com](mailto:fmccconville@labaton.com)  
[dschwartz@labaton.com](mailto:dschwartz@labaton.com)

*Counsel for Proposed Lead Plaintiff and  
Proposed Lead Counsel for the Class*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TED SCHLATRE, Individually  
and on Behalf of All Others Similarly  
Situated,

Plaintiff.

1

MARATHON DIGITAL HOLDINGS, INC.  
f/k/a MARATHON PATENT GROUP,  
INC., MERRICK D. OKAMOTO,  
FREDERICK G. THIEL, and SIMEON  
SALZMAN,

## Defendants.

Case No. 2:21-CV-02209-RFB-NJK

## CLASS ACTION

**DECLARATION OF DON SPRINGMEYER  
IN SUPPORT OF MOTION OF EVAN  
DANA FOR APPOINTMENT AS LEAD  
PLAINTIFF AND APPROVAL OF  
SELECTION OF COUNSEL**

I, Don Springmeyer, declare as follows:

I am a member in good standing of the bar of the State of Nevada and am admitted to practice before this Court. I am an attorney at Kemp Jones, LLP (“Kemp Jones”), proposed Liaison Counsel for the Class. I submit this declaration in support of the motion filed by movant Evan Dana for the entry of an Order: (1) appointing Evan Dana as Lead Plaintiff and (2) approving his selection of Labaton Sucharow LLP as Lead Counsel for the Class and Kemp Jones as Liaison Counsel for the Class.

Attached as Exhibits A through E are true and correct copies of the following documents:

**EXHIBIT A: Signed Certifications of Evan Dana, pursuant to the requirements of the PSLRA, 15 U.S.C. § 78u-4(a)(2);**

## EXHIBIT B: Loss Analysis for Evan Dana

**EXHIBIT C: Notice of pendency of Action**

EXHIBIT D: Declaration of Evan Dana; and

EXHIBIT E: Firm Resume of Labaton Sucharow LLP.

I hereby declare under penalty of perjury that the foregoing is true and correct.

DATED: February 15, 2022

/s/ Don Springmeyer  
Don Springmeyer